

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 4203-01  
BILL NO.: HB 1680  
SUBJECT: Firearms: Civil Procedures, Liability  
TYPE: Original  
DATE: February 19, 2002

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Officials of the **Department of Public Safety-Missouri Highway Patrol** assume no fiscal impact.

Officials of the **Office of the Attorney General** assume no fiscal impact to their office.

Officials of the Cities of **Springfield** and **St. Joseph** assume no fiscal impact.

**The following political subdivisions submitted the following fiscal impact statements to similar legislation (SB 123) from last session:**

Officials of the **City of Mexico, and Hannibal** assume no fiscal impact.

Officials of the **City of St. Louis** assume no fiscal impact.

Officials of the **Kansas City Manager's Office** assume no fiscal impact

Officials of the **Cole County Commission** assume no fiscal impact.

Officials of the **City of St. Charles** assume if their city would have a cause of action against a gun manufacturer, association, or dealer, that this proposal would cause a loss of revenue to the city by denying the city the right to sue to collect damages. Officials assume loss is unknown.

**Oversight** is not able to predict or estimate whether in the absence of this legislation if any political subdivision would receive any settlement from litigation, therefore, Oversight will show fiscal impact to local governments as \$0 to (Unknown).

<b><u>FISCAL IMPACT - State Government</u></b>	<b>FY 2002 (10 Mo.)</b>	<b>FY 2003</b>	<b>FY 2004</b>
	\$0	\$0	\$0
<b><u>FISCAL IMPACT - Local Government</u></b>	<b>FY 2002 (10 Mo.)</b>	<b>FY 2003</b>	<b>FY 2004</b>
<b><u>Fiscal Impact to Local Governments from Prohibition on Gun Lawsuits.</u></b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This bill prohibits the state or any city, county, or other political subdivision from bringing suit against a firearms or ammunition manufacturer, trade association, or dealer for damages, abatement, or injunctive relief from the design, manufacture, marketing, or sale of firearms or ammunition. This provision applies to suits pending as of the effective date of the bill and all future suits. The bill exempts suits for injury or death caused by the negligent or defective design or manufacture of firearms or ammunition.

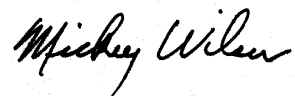
The bill does not prevent suits for breach of contract or warranty for firearms or ammunition purchased by the state or a political subdivision.

The bill also states that the lawful design, marketing, manufacture, and sale of firearms and ammunition are not unreasonably dangerous activities and do not constitute a nuisance per se.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Attorney General  
Department of Public Safety- Missouri Highway Patrol  
City of Mexico  
City of St. Louis  
Kansas City Manager's Office  
City of Hannibal  
City of St. Charles  
City of Springfield  
Cole County Commission  
City of St. Joseph



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